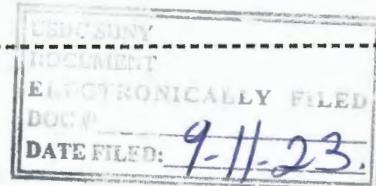


TRULINCS 15425509 - LEVINE, RANDY CRAIG - Unit: DAN-L-A

FROM: 15425509
TO:
SUBJECT:
DATE: 08/13/2023 11:41:04 AM



UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

-RANDY CRAIG LEVINE, Pro Se
- Defendant

v.

-UNITED STATES OF AMERICA
- Plaintiff

Case No.: 1:23-cv-05003-LAK

2023 AUG 18 AM 11:44
SUNY PRO SE OFFICE
RECEIVED

Motion to Authorize My Former Attorney Edward Vincent Sapone, Esq.
of Sapone and Petrillo, LLP to Comply with the Court's Order Dated 7/31/2023

I have read the Court's Order dated July 31, 2023 and this document headed Attorney-Client Privilege Waiver(Informed Consent). I hereby authorize my former counsel, Edward Vincent Sapone, Esq., of Sapone and Petrillo, LLP to comply with the Court's Order by giving testimony in the form ordered by the Court, relating to my petition pursuant to 28 U.S.C. & 2255 on the ground of ineffective assistance of counsel. This authorization allows my former attorneys to testify only pursuant to court order, and only to the extent necessary to shed light on the allegations of ineffective assistance of counsel that are raised by my motion.

Decket in 20-cr-578
and 23-cv-5003

Respectfully Submitted,

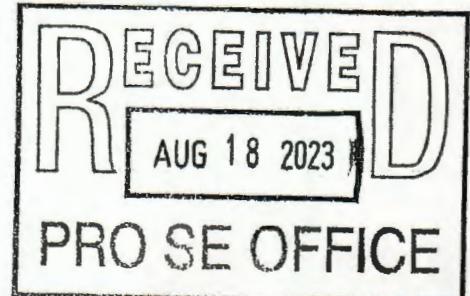
x
Randy Craig Levine
BOP#: 15425-509
FCI Danbury
33 1/2 Pembroke Road
Route 37
Danbury, CT 06811

Date: August 14, 2023

SO ORDERED

LEWIS A. KAPLAN, USDJ

9/11/23



TRULINCS 15425509 - LEVINE, RANDY CRAIG - Unit: DAN-L-A

FROM: 15425509
TO:
SUBJECT: Cover Letter For Case No.:1:23-cv-05003-LAK
DATE: 08/13/2023 07:16:12 PM

Randy Craig Levine, pro se
BOP#: 15425-509
FCI Danbury Federal Correctional Institution
33 1/2 Pembroke Road
Danbury, CT 06811

Clerk of Court: Ruby J. Krajick
United States District Court
Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street
~~New York, New York 10007~~

RE.: 1:23-cv-05003-LAK

Dear Sir/ Madam,

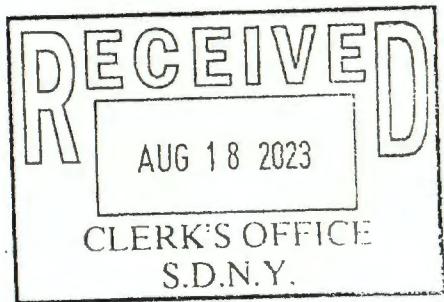
Please find attached the motion to authorize my former attorney Edward Vincent Sapone, Esq of Sapone and Petrillo, LLP to comply with the court's order dated 7/31/2023.

Respectfully Submitted,

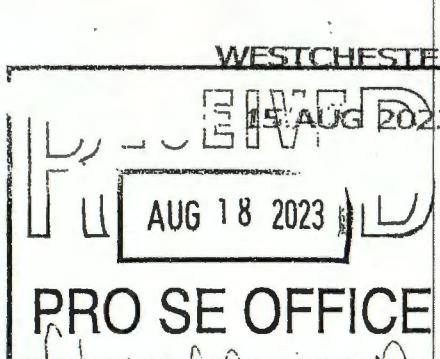
x _____
Randy Craig Levine

Date: _____
August 14, 2023

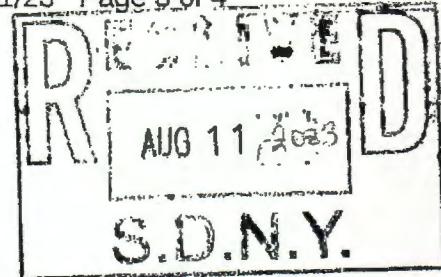
Randy Levine
Reg No. 15425-509
Federal Correctional Institution
33 1/2 Pembroke Road
Danbury, CT 06811-3099
United States



Rebe
L



10007-133099



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

United States of America

v.

Randy Craig Levine,

Defendant

20 Cr. 578 (LAK)

Attorney-Client Privilege Waiver (Informed Consent)

To: Randy Craig Levine

You have filed a petition pursuant to 28 U.S.C. § 2255 on the ground of ineffective assistance of counsel by your former counsel, Edward Vincent Sapone, Esq., of Sapone & Petrillo, LLP (*see* Dkt. No. 80). The Court has reviewed your papers and determined that the Court needs to have a sworn testimonial statement from your former attorneys in order to evaluate your petition.

By filing this petition, you have waived the attorney-client privilege you had with your former counsel to the extent relevant to determining your claims. This means that, if you wish to press your claims of ineffective assistance, you cannot keep the communications between yourself and your former attorneys a secret — You must allow them to be disclosed to the Government and to the Court pursuant to court order. The Court already has issued an Order ordering your former counsel to give such testimony, in the form of a declaration. This Informed Consent form is designed to ensure that you fully understand and agree to this.

Specifically, if you wish to proceed with your petition on the basis that you received ineffective assistance of counsel, you must sign this statement and return it to the Court. The form constitutes your authorization to your former counsel to disclose confidential communications (1) only in response to a court order and (2) only to the extent necessary to shed light on the allegations of ineffective assistance of counsel that are raised by your motion.

You should know that, if you sign this authorization, you run the risk that your former counsel will contradict your statements about their representation of you. However, you should also know that the Court may deny your motion if you do not authorize your former counsel to give an affidavit in response to the Court's attached Order.

You must return this form with your signature within twenty-one days from the date on which you are served with this Order. If the Court does not receive this form with your signature within that time, the Court may deny your motion.

Case 1:20-cr-00578-LAK Document 83 Filed 07/31/23 Page 4 of 4
Case 1:20-cr-00578-LAK Document 82-1 Filed 07/31/23 Page 4 of 4

AUTHORIZATION

I have read the Court's Order dated July 31, 2023 and this document headed Attorney-Client Privilege Waiver (Informed Consent). I hereby authorize my former counsel, Edward Vincent Sapone, Esq., of Sapone & Petrillo, LLP, to comply with the Court's Order by giving testimony, in the form ordered by the Court, relating to my petition pursuant to 28 U.S.C. § 2255 on the ground of ineffective assistance of counsel. This authorization allows my former attorneys to testify only pursuant to court order, and only to the extent necessary to shed light on the allegations of ineffective assistance of counsel that are raised by my motion.

Randy Craig Levine

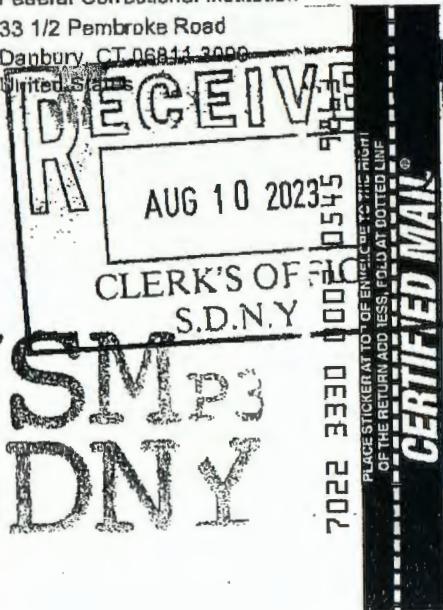
Dated: 8/2/2023

⇒15425-509⇒

Randy Levine
 Reg No. 15425-509
 Federal Correctional Institution
 33 1/2 Pembroke Road
 Danbury, CT 06811-3000

United States

Filed 08/11/23 Page 3 of 3

USM
SDNY

1000781315



70222 3330 0002 0545 9863



1000781315



Clerk of Court
 United States District Court
 Southern District of New York
 U.S. Courthouse - 500 Pearl Street
 New York, NY 10007

1000781315

Case 1:20-cr-00578-LAK Document 84 Filed 08/11/23 Page 1 of 1